

Dear FCC Commissioner,

I am contacting you regarding MB 05-311 on video franchising. We join with the Alliance for Community Media members in calling for competition without destruction of local, community controlled media. The following are our concerns.

The proposed rule eliminates incentive for providers to negotiate in good faith. If the City and the provider do not come to agreement in 90 days, the new provider can proceed without agreement. They can then make billions of dollars in our public land without considering local needs.

The proposed rule lacks a remedy for geographic discrimination. Public, Education and Government Access (PEG) are tools to engage our local communities in democracy. Democratic participation should be for all, not based on a company business rule.

The proposed rule reduces the support for PEG, institutional networks and other in-kind services from that allowed by current Federal law. It is in direct contradiction to language written by the telephone companies and already passed in key states. This reduction would eliminate a valued community resource with no demonstrated effect on either price or competition.

The changes being proposed are dramatic and over-step the FCC's authority. We believe that such changes to the law should be made by Congress, not the FCC. These changes will slow competition by confusing the legal framework. Changes to the law should be decided by law-makers, not the FCC.

If you would like to discuss this further, I can be reached at 360-330-7674 or jdfouts@cityofcentralia.com. Thank you for your consideration.

Yours truly,

J.D. Fouts
City Manager
City of Centralia (Washington State)